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BETTY SUTTON, OHIO  
BRUCE BRALEY, IOWA  
PETER WELCH, VERMONT

ONE HUNDRED ELEVENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927  
FACSIMILE (202) 225-2525  
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November 19, 2010

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PARKER GRIFFITH, ALABAMA  
ROBERT E. LATTA, OHIO

1806

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554


Dear Chairman Genachowski:

It has been productive to halt activity on network neutrality absent clear direction from Congress. Although we have disagreed with the policy from the beginning, we appreciate the deliberative process you have undertaken. Approximately 300 members of the House and Senate from both sides of the aisle have indicated that the questions raised in the network neutrality rulemaking are better left to Congress.

We understand you are considering circulating a network neutrality order for vote at the December FCC meeting. That is a mistake. President Obama has said he heard the American people's message to Washington loud and clear earlier this month. We must now work together to help bring back jobs. We have much we can do together on matters such as spectrum and universal service reform that will have a significant positive impact on the economy. Reigniting the network neutrality debate will only distract us from that work and further jeopardize investment, innovation, and jobs. We ask you not to circulate such an order.

Sincerely,

  
Joe Barton  
Ranking Member

  
Cliff Stearns  
Ranking Member, Subcommittee on  
Communications, Technology, and the Internet

November 19, 2010

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Ralph M. Hall

Ed Whitfield

Lee Terry

Jim Jahn

Steve Ryzar

Fred Lytle

Don Edwards

Sue Myrick

Patricia Gray

Alanna Blackburn

Jeff Miller

Steve Scalise

Pat Sullivan

Tom Murawski

Chad Murray

Mary Beth Mack

Ross E. Yates

Letter to The Honorable Julius Genachowski  
November 19, 2010  
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cc: Commissioner Michael J. Copps  
Commissioner Robert M. McDowell  
Commissioner Mignon Clyburn  
Commissioner Meredith Attwell Baker

List of Signatories  
Letter to The Honorable Julius Genachowski  
November 19, 2010

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Joe Barton

Cliff Stearns

Page 2

Ralph M. Hall  
Lee Terry  
Steve Buyer  
Mike Rogers  
Michael C. Burgess  
Joseph R. Pitts  
John Sullivan  
Phil Gingrey  
Robert Latta

Ed Whitfield  
John Shimkus  
Fred Upton  
Sue Myrick  
Marsha Blackburn  
Steve Scalise  
Tim Murphy  
Mary Bono Mack



OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Joe Barton  
U.S. House of Representatives  
2109 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Barton:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

While we do not see eye-to-eye on this particular rulemaking, I look forward to working with you on a broad range of telecommunications issues, including spectrum policy, universal service reform, and the deployment of a public safety wireless broadband network. On many issues, I think common ground can be found to improve America's communications networks, foster private investment and job creation, and help bring the extraordinary benefits of broadband to all Americans.

Respectfully,

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Julius Genachowski





Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Joe Barton  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representatives  
2322 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Barton:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski



Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Marsha Blackburn  
U.S. House of Representatives  
217 Cannon House Office Building  
Washington, D.C. 20515

Dear Congresswoman Blackburn:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski



OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Mary Bono Mack  
U.S. House of Representatives  
104 Cannon House Office Building  
Washington, D.C. 20515

Dear Congresswoman Bono Mack:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski





Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Michael Burgess  
U.S. House of Representatives  
229 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Burgess:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Respectfully,

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Julius Genachowski



Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Steve Buyer  
U.S. House of Representatives  
2230 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Buyer:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski



Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Phil Gingrey  
U.S. House of Representatives  
119 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Gingrey:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski





Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Ralph M. Hall  
U.S. House of Representatives  
2405 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Hall:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski





OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Robert E. Latta  
U.S. House of Representatives  
1531 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Latta:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski



OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Tim Murphy  
U.S. House of Representatives  
322 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Murphy:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski



OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Sue Myrick  
U.S. House of Representatives  
230 Cannon House Office Building  
Washington, D.C. 20515

Dear Congresswoman Myrick:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski





OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Joseph Pitts  
U.S. House of Representatives  
420 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Pitts:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski





OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Mike Rogers  
U.S. House of Representatives  
133 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Rogers:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski



OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Steve Scalise  
U.S. House of Representatives  
429 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Scalise:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski



Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable John M. Shimkus  
U.S. House of Representatives  
2452 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Shimkus:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Cliff Stearns  
U.S. House of Representatives  
2370 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Stearns:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

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Julius Genachowski





OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Cliff Stearns  
Ranking Member  
Subcommittee on Communications, Technology, and the Internet  
Committee on Energy and Commerce  
U.S. House of Representatives  
2370 Rayburn House Office Building  
Washington, D.C. 20515

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THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable John Sullivan  
U.S. House of Representatives  
434 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Sullivan:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

While we do not see eye-to-eye on this particular rulemaking, I look forward to working with you on a broad range of telecommunications issues, including spectrum policy, universal service reform, and the deployment of a public safety wireless broadband network. On many issues, I think common ground can be found to improve America's communications networks, foster private investment and job creation, and help bring the extraordinary benefits of broadband to all Americans.

Respectfully,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over the typed name.

Julius Genachowski



OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Lee Terry  
U.S. House of Representatives  
2331 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Terry:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski





Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Ed Whitfield  
U.S. House of Representatives  
2411 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Whitfield:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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Julius Genachowski





OFFICE OF  
THE CHAIRMAN

Federal Communications Commission  
Washington, D.C.

December 1, 2010

The Honorable Fred Upton  
U.S. House of Representatives  
2183 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Upton:

Thank you for your letter regarding possible action on the Commission's Open Internet proceeding during the December meeting.

I appreciate your acknowledgment of the deliberative process that the Commission initiated to explore the appropriate legal authority for broadband access policy. With regard to your concern about the Commission taking action on Open Internet rules, I am proposing a balanced, light-touch framework for preserving the open Internet as a platform for economic growth, innovation, investment, and free expression – and, as you had previously urged, the proposal would do so without reclassifying broadband as a Title II telecommunications service. I also want to emphasize that any actions the Commission may take to preserve Internet openness are not designed or intended to preclude action by Congress. I continue to believe that an update of the Communications Act could add beneficial clarity and certainty – and I welcome the opportunity for the Commission to serve as a resource to Congress in this regard.

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